

JANUARY SESSION, 1912.

## CHAPTER 825.

AN ACT TO CREATE AND ESTABLISH A BOARD OF CONTROL AND SUPPLY, AND TO PROVIDE FOR THE REGULATION AND CONTROL OF STATE INSTITUTIONS.

Approved  
April 29, 1912.

*It is enacted by the General Assembly as follows:*

### SECTION 1. APPOINTMENT AND TERM OF OFFICE.

—There shall be a board of control and supply, hereinafter called the board, which shall be vested with and possessed of the powers and duties specified in this act. Said board shall be constituted of five members who shall be duly qualified electors of this state and who shall be severally sworn to the faithful performance of their duties and who shall hold office for the terms of their appointment or until their successors respectively shall be appointed and qualified to act. Within ten days after the passage of this act, the governor, by and with the advice and consent of the senate, shall appoint five such persons to be members of the board, one to hold office until the first day of February, A. D. 1917, one to hold office until the first day of February, A. D. 1916, one to hold office until the first day of February, A. D. 1915, one to hold office until the first day of February, A. D. 1914, one to hold office until the first day of February, A. D. 1913, and in the month of January, A. D. 1913, and in the month of January in each year thereafter, the governor, by and with the advice and consent of the senate, shall appoint one member of

Board of control and supply to consist of five members appointed by the governor.

Terms of first appointees.

Members subsequently appointed to hold office for five years.

Governor to designate chairman.

Board to elect a member secretary.

Salary of chairman and secretary, \$3,000 each.

Other members, \$2,000 each.

For clerical assistance and expenses, \$3,000 annually.

said board to hold office until the first day of February in the fifth year after his appointment, to succeed the member whose term will next expire. The governor shall designate one of the commission appointed by him as chairman of said commission, and thereafter the commissioners shall elect one of their members as chairman upon the appointment of any commissioner for a new term, or whenever a vacancy shall occur in said office. The board shall appoint one of its members to act as secretary to the board, whose duty it shall be to keep a true record of all the proceedings of the board, and he shall have the custody and preservation of all the documents at the office of the board, and have general charge of the office of the board, superintend the clerical business thereof, and perform such other duties as the board may prescribe.

SEC. 2. QUALIFICATIONS AND SALARIES. — The chairman of the board shall receive in full compensation for his services an annual salary of three thousand dollars, and the secretary shall receive in full compensation for his services an annual salary of three thousand dollars, and the other members of the commission shall receive in full compensation for their services an annual salary of two thousand dollars, and the sum of fourteen thousand dollars is hereby annually appropriated for such purpose. Said board shall be allowed for the payment of such clerical and other assistance as may be from time to time required, and for office expenses and other actual expenses incurred in the performance of its duties, and in carrying out the provisions of this act the sum of three thousand dollars annually, or so much thereof as may be necessary, which sum is hereby annually appropriated for said purpose. The state auditor is hereby directed to draw his orders upon the general

treasurer from time to time for the payment of the salaries of the members of said board, and for the payment of such clerical assistance and of such office and other expenses upon vouchers approved by the chairman of said commission.

SEC. 3. BOND.—Each member of the board shall before entering upon the duties of his office, give bond to the state, with sufficient sureties to the satisfaction of the state treasurer, in the sum of five thousand dollars for the true and faithful discharge of the duties of his office, which bond shall be deposited with and kept by the secretary of state.

Members to give bond in sum of \$5,000.

SEC. 4. REMOVAL.—Any misconduct in office or neglect of duty by any member of the board shall constitute sufficient cause for his removal and said members of the board or any of them may be removed by the governor, for cause shown, with the advice and consent of the senate.

Members may be removed by governor, with consent of senate, for misconduct.

SEC. 5. VACANCIES.—Any vacancy which may occur in said board from any cause whatsoever, when the senate is not in session, shall be filled by the governor until the next session thereof, when the governor shall, by and with the advice and consent of the senate, appoint some person to fill such vacancy for the remainder of the term.

Vacancies on board, how filled.

SEC. 6. OFFICE AND RECORDS.—The state house commission shall furnish the board an office or offices in the state house in which its business shall be transacted and where all its records shall be kept. The board shall have a seal, which shall have engraved thereon the words, Board of Control and Supply, State of Rhode Island and Providence Plantations.

Board to have office in state house, and seal.

SEC. 7. ORGANIZATION.—A majority of the board shall constitute a quorum for the transaction of any business, for the performance of any duty, or for the exercise of any power of the board.

Majority of members a quorum.



Board may employ assistance and determine compensation.

SEC. 8. CLERKS, EMPLOYEES.—The board may employ such clerks, accountants, stenographers, and agents as it may require to carry out the purposes of this act, and may determine their compensation which shall be paid out of the fund appropriated for the use of the commission by Section 2 of this act.

Board to purchase supplies and contract for repairs at state institutions in Cranston, state home and school, institute for deaf, and school for feeble-minded.

SEC. 9. CONTROL OVER PURCHASES, REPAIRS AND ALTERATIONS.—The board shall, in the manner hereafter provided, purchase, and make all contracts for the purchase of, the supplies and materials for the use at the state farm in Cranston, of the state work house and house of correction, the state asylum for the incurable insane and state almshouse thereon, the state prison and the jail in the county of Providence, the state reform school, the state sanatorium, the state home and school for children, the Rhode Island institute for the deaf, and the Rhode Island school for feeble-minded, and shall have the entire supervision and control over, and make all contracts for repairs, alterations and improvements, and all work done, and expenses incurred in and about the grounds and buildings of such institutions, including the furnishing and refurnishing of the same: *Provided*, that the board from time to time, under such rules and regulations as it may make, may authorize the board, commission or officer having charge of any of the said institutions, to purchase for the use of said institution, materials and supplies to an amount of not exceeding five hundred dollars at any one time, and to make necessary repairs at such institution at a cost of not exceeding two hundred and fifty dollars at any one time, but no warrant shall be drawn by the state auditor on the general treasurer for payment of such supplies or materials, or the cost of such repairs unless a proper voucher for the same has been allowed by the board: *Provided, further*, that all

Procedure in case of supplies less than \$500 in value or repairs costing less than \$250.

purchases of school books and school apparatus for the use at the state home and school for children, the Rhode Island institute for the deaf, and the Rhode Island school for feeble-minded, shall continue to be made as heretofore and shall not be made by the board.

Purchases of school books not to be made by board.

SEC. 10. CONSTRUCTION AND EQUIPMENT.—The board shall have the supervision and control of and make all contracts for, the construction, equipment and furnishing of all buildings, at the institutions specified in Section 9 of this act, which now are, or hereafter may be, authorized to be built and may employ competent architects to prepare plans for the construction and equipment of such buildings.

Board to have charge of construction and furnishing of buildings for said institutions.

SEC. 11. BIDS.—It shall be the duty of the board relative to all the purchases and contracts which it is authorized to make by the provisions of Section 9 and 10 of this act, to advertise for bids or proposals in such newspapers published in the city of Providence as the said board may in its discretion determine, and to let to the lowest competent and responsible bidders who will give adequate security satisfactory to the board for the performance of their contracts, all purchases and contracts which the board is authorized to make by the provisions of Section 9 of this act, unless the board by a two-thirds vote of the whole number of the members thereof in any case determine that it is impracticable to procure supplies, materials, or work as a result of competition, or that the best interests of the state require that the supplies or materials, or work be procured or effected in some other manner.

Board to advertise for bids and let contracts to lowest bidders.

Bids may be omitted in certain cases.

SEC. 12. SPECIFICATIONS.—Specifications for the furnishing of any materials or supplies or for the performance of any work, or for the making of any repairs, alterations or improvements, or for the construction, equipment or furnishing of any building,

Board to prepare specifications of work or repairs.

under the provisions of this act, shall be prepared and set forth with sufficient detail to inform all persons proposing to bid therefor of the nature of the work to be done and of the materials and supplies to be furnished or repairs, alterations or improvements to be made, or of the construction, equipment, or furnishing of any building, and written or printed copies thereof shall be delivered to all applicants therefor. All other requisite plans and specifications for supplies, materials or work shall be prepared by the board.

Sealed bids  
to be sub-  
mitted and  
opened in  
public at time  
specified in  
notice adver-  
tised by board.

SEC. 13. OPENING BIDS.—All bids required by this act shall be submitted in sealed envelopes or wrappers, which shall have endorsed thereon the title of the supplies, materials, work, construction, equipment or furnishing to which such bids relate. Said board may by giving notice thereof in said advertisement require every bidder to furnish with his bid a certified check or a satisfactory bond of a specified amount to secure the execution and delivery by him of his contract in writing in due form and any relevant bond required, if his bid is accepted by said board. All such bids with any such checks or bonds required shall be presented to said board at the place and time of their meeting as advertised for the receipt of the same, or may be theretofore filed with such person at such place as authorized by said board in such advertisement. At the time and place specified in their advertisement for holding such meetings, it shall be the duty of said board to be present, and such meeting for the reception and opening of bids shall be promptly held at the advertised time, whether or not a majority of said board is present, and shall be open to the public, and the time for presenting bids shall end at the expiration of fifteen minutes after such stated time of such meet-



ing, and thereupon the bids shall be opened by some member of said board in the presence of the bidders and other persons there present, and publicly read. Said board may reject any or all such bids or proposals. An abstract of all such bids with the prices shall be made and preserved in a book to be kept for that purpose. All contracts and purchases shall be made or evidenced in writing, and in such form as shall be approved by the attorney general. When required by said board each such contract shall be accompanied by a bond of such amount and with such surety as satisfactory to said board, to secure the performance of the contract and to contain such other provisions as shall be satisfactory to said board.

Any and all bids may be rejected.

Contracts to be in writing and bond may be required by board.

SEC. 14. FAILURE OF CONTRACTOR TO CONFORM TO CONTRACT.—If the supplies and materials are not up to the standard required, upon inspection thereof by one of the members of the board designated to make such inspection, and the contractor shall fail to exchange them for articles that meet the requirements prescribed, the board may go into the open market and purchase supplies or materials to take the place of those adjudged to be of inferior quality and deduct the expense from the amount due him from the state, or if the amount due said contractor be not sufficient to pay for the supplies or materials purchased the attorney general shall in the name of the state, bring an action against the contractor and his sureties to recover said amount.

Procedure in case contractor fails to carry out contract.

SEC. 15. PAYMENT.—The cost, price or consideration of each contract or purchase shall be charged to and paid from any special appropriation therefor, or if none, shall be charged to and paid from the appropriate appropriation for the institution, or state department for which the supplies or materials were furnished, or the work performed or the expense

Cost of purchase or work to be paid for from the appropriation therefor upon vouchers approved by the board.

incurred or the repairs, alterations or improvements made, or for which the building was constructed, or equipment or furnishings provided, and no payment shall be made except on vouchers approved by the board and signed by the chairman and countersigned by the secretary thereof.

Board to  
appoint a dis-  
bursing agent  
at state  
institutions in  
Cranston.

SEC. 16. DISBURSING AGENT.—The board shall appoint one disbursing agent for the state farm in Cranston, the state work house and house of correction, the state asylum for the incurable insane, and the state almshouse thereon, the state prison, and the jail in the county of Providence, and the state reform school. Such disbursing agent shall receive from the contractor the supplies and materials called for by the contract, and shall deliver to the contractor a receipt in detail for the same and immediately forward a duplicate receipt to the board; he shall have the custody of the supplies and shall provide for the proper storage of the same and shall be held responsible for their safe keeping, and shall disburse the same when needed for use at the several institutions hereinbefore specified.

Board to  
appoint dis-  
bursing agent  
at other  
institutions.

SEC. 17. DISBURSING OFFICER.—The board shall appoint one disbursing agent each at the state sanatorium, the state home and school for children, the Rhode Island institute for the deaf, and the Rhode Island school for feeble-minded, whose duties shall be the same as those of the disbursing agent specified in Section 16 of this act.

Board to pro-  
vide uniform  
system of  
accounting.

SEC. 18. ACCOUNTS AND REQUISITIONS.—The board shall provide, install and supervise, a proper and uniform system of accounting at each of the institutions and departments specified in Section 9 of this act; shall provide for the form of requisitions and receipts to be used; shall appoint the proper person or persons at each institution to keep such



accounts, and shall appoint the proper person at each institution to make requisition on the board for supplies and materials.

SEC. 19. EXAMINATION OF BOOKS AND ACCOUNTS.

—It shall be the duty of the board to examine or cause to be examined the books and accounts of such institutions at least once in six months and as often as may be deemed necessary. The officers of such institutions must without delay produce all books, accounts, and papers in their respective offices and must furnish upon demand the information touching books, papers and other matters pertaining to their respective offices.

Board to  
examine books  
and accounts  
from time to  
time.

SEC. 20. Any state officer, board or commission authorized by any general or special law, or by resolution of the general assembly to purchase furniture, fixtures, coal, lumber, paints, oil, building materials, or any other staple article of merchandise not of a perishable nature, shall, if such purchase will probably exceed in value the sum of five hundred dollars at any one time, or contract therefor can be made to an amount not less than five hundred dollars, send a requisition to the secretary of the board for the articles or materials desired, and thereupon the board shall determine whether or not it will supply such articles or materials, and within ten days from the date of the receipt of such requisition shall notify such officer, board, or commission of its determination. If the board determines that it will not furnish such articles or materials, then such officer, board or commission shall proceed to purchase such articles or materials, as if such requisition had not been made, but if the board determine to furnish such articles or materials, then it shall proceed to furnish them under the provisions of this act, and shall furnish

Board may  
make other  
purchases  
required by  
state board  
officers and  
commissions in  
excess of \$500  
at any one  
time.

them to the board, officer or commission making the requisition according to the directions accompanying the requisition. The board shall have power to make rules and regulations governing its practice under this section respecting receipts for the delivery of the articles or materials, the approval of vouchers, and the payment for such articles and materials from the appropriation under which they are purchased, and shall notify the state auditor of such rules and regulations. The provisions of this section shall be in addition to the authority given by this act for the purchase of materials and supplies and contract for work to be done, for the institutions described in Section 9, and shall not apply to such institutions.

Board to have control of labor of inmates and prisoners confined in state institutions at Cranston.

SEC. 21. All the power and authority now vested in, and exercised by, the board of state charities and corrections over the labor of prisoners and other inmates of the institutions now under the control and management of the board of state charities and corrections are hereby transferred to and vested in the board created by this act, with power in said board to sell the products of such institutions and make such contract respecting the labor of the prisoners and inmates of such institutions as said board may deem proper, and all orders, agreements and contracts made by said board with respect to said labor shall be observed and obeyed by the officers in charge of the prisoners and other inmates of such institutions. For the purpose of the performance of their duties under this act the members of the board shall have all the powers and privileges conferred upon and enjoyed by the members of the state board of charities and corrections under the provisions of Chapter 360 of the General Laws, and any acts in amendment thereof, of visiting such institutions and conferring with the prisoners and inmates therein.

SEC. 22. All acts or parts of acts which are in-  
consistent with the provisions of this act are hereby  
repealed.

Acts inconsis-  
tent herewith,  
repealed.

SEC. 23. Nothing in this act contained shall refer  
to or affect the powers and duties of the state house  
commission.

Act not to  
affect state  
house  
commission.

SEC. 24. This act shall take effect upon its pas-  
sage.

Attest:

A true copy,

*J. Fred Parker*  
Secretary of State.





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